

# BRIEFING PACKET STATE RELEASE

NO CHILD LEFT BEHIND (NCLB)

Adequate Yearly Progress Report  
2005



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KENTUCKY DEPARTMENT OF EDUCATION  
Gene Wilhoit, Commissioner  
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## **Introduction**

The 2001 re-authorization of the Elementary and Secondary Education Act of 1965 was signed into federal law January 8, 2002. Characterized in the statute as, "An Act to close the achievement gap with accountability, flexibility, and choice, so that no child is left behind," it carries the short title, "No Child Left Behind Act of 2001". Accountability measures required by the Act are, in many respects, comparable to those comprising Kentucky's school accountability and testing system. For example, Kentucky set goals for Proficient student performance, and established a support system for schools in assistance via the Kentucky Educational Reform Act of 1990 and House Bill 58, passed in 1998.

Kentucky, like many states, has modified and/or supplemented our student assessments to comply with the federal statute and now uses assessment results to make both federal and state accountability decisions. Kentucky has retained its accountability system, while complying with the federal mandate. It accomplishes this through a two-dimensional system in which state and federal requirements are complementary. The federal and state school/district two-dimensional accountability model is summarized in Attachment A.

In addition to having implemented a system of assessments, Kentucky has already met other federal requirements by establishing school rewards and consequences, requiring school improvement plans, conducting scholastic audits and assigning highly skilled educators to support schools in assistance. Further, Kentucky has published student assessment results disaggregated by subpopulation and has implemented a unified data collection and reporting system. These are some of the many examples of how Kentucky's system of public education has been a national model for the last 13 years.

Several changes in the implementation of NCLB for districts and schools have occurred since 2004. These changes were carefully and deliberately approached to ensure that they were well thought out and were truly supportive of improved teaching and learning. The changes in the implementation of NCLB from 2004 to 2005 are summarized in Attachment B. The sections below provide additional detail about how Kentucky is implementing NCLB.

## **Adequate Yearly Progress (AYP)**

Adequate Yearly Progress (AYP) is the term used in NCLB to refer to the minimum improvement required of each school and district over the course of one year. It is measured at the school and district levels by:

- 1) Measuring growth in the percentage of students scoring proficient or above in reading and mathematics.
- 2) Assessing improvement on one "other academic indicator," (the CATS Accountability Classification at elementary and middle school – new this year – and graduation rate in high school).

- 3) Testing at least 95% of enrolled students and student subpopulations of sufficient size.

Details regarding these three components of AYP, and how schools and districts are able to make AYP, can be found in Attachment C.

## Identification of NCLB Improvement Schools - NCLB Consequences

If a Title I school fails to make AYP in the *same content area for two consecutive years*, the school becomes a NCLB Improvement School. A series of consequences are outlined in NCLB for an Improvement School. Note that these consequences do *not* apply when a school misses its Annual Measurable Objective (AMO) in reading one year (but makes AYP in mathematics) and misses its AMO in mathematics the next year (but makes AYP in reading). AYP must be missed in the same content area (for whatever reason) for two consecutive years for consequences to apply. *It is important to note that if a school or district does not meet the requirement of the Other Academic Indicator or Participation Rate, the school is considered to have missed its AYP in both reading and mathematics.* If that school or district misses its AMO in reading or mathematics the following year, the school/district will be considered as not making AYP in the same content area for two consecutive years.

The NCLB consequences are listed below:

1. PARENT NOTIFICATION (Notification to parents in a school identified for NCLB improvement)
2. SCHOOL CHOICE (Parents' option to transfer student)
3. Write or revise COMPREHENSIVE SCHOOL IMPROVEMENT PLAN
4. Offer SUPPLEMENTAL EDUCATIONAL SERVICES
5. CORRECTIVE ACTION
6. RESTRUCTURING

Attachment D provides more detail regarding each consequence and the timing of consequences called NCLB Tiers. (**Consequences only apply to Title I schools and districts.**)

## Timing of NCLB Reports

NCLB requires that assessment results be made available and AYP determinations be made prior to the start of the next school year. The Kentucky Department of Education (KDE) pursued options with the assessment contractor that resulted in scoring and reporting the full reading and mathematics assessments (both multiple choice and open response) prior to the beginning of the 2005 school year. Recall that this was not possible to achieve in 2004. As a result, the reporting of *preliminary* AYP determinations based upon the multiple-choice portions of the KCCT in mathematics and reading is *not* necessary this year. The August AYP determinations are final and are based upon the

complete reading and mathematics assessment scores, including open-response items. For example, if the August AYP decision result in NCLB consequences at the school or district level (for example, the requirement to offer school choice), then parents must be given the option of school choice.

## **District Accountability**

NCLB requires district-level accountability to be based on an aggregate of students' scores from all schools in the district. District accountability for subpopulations, based upon aggregated scores, is also required. Current statute authorizes the Kentucky Board of Education to establish district accountability by regulation, and the board has promulgated a regulation to implement this federal requirement (see 703 KAR 5:130). In general, this regulation establishes both state and federal dimensions of district accountability. The federal dimension is based on aggregate student data and basically mirrors federal school accountability calculations and procedures.

## **Comparing 2005 District/School Reports With 2004 Results**

Because of the changes in implementation of NCLB for districts and schools from 2004 to 2005 (see Attachment B), comparisons from 2004 to 2005 should be made with caution. Analysis of the specific impact of these changes has not been completed. An impact study will be done to help us understand the degree of genuine school improvement from 2004 to 2005 versus increases due to changes in NCLB policy.

While Attachment B outlines the changes in implementation of NCLB for districts and schools from 2004 to 2005, the following bullets highlight more specific reasons why caution should be used when comparing the 2005 NCLB Reports with 2004 NCLB results:

- Use of the new other academic indicator (i.e., prior-year CATS Biennial or Mid-point Classification versus the CATS Accountability Index) represents a significant change. For example, last year, one of the reasons over 160 schools did not make AYP was because of the other academic indicator. This year, only 31 schools did not make AYP because of the other academic indicator.
- Recall that the Kentucky Board of Education adopted the approach of establishing two, three-year plateaus of performance toward the goal of 100% proficiency. More specifically, Kentucky established separate reading and mathematics intermediate goals or AMOs for elementary, middle, and high school grades that begin with two plateau-periods of three years each where the AMO remain the same. The first increase in intermediate goals took place in the 2004-2005 school year (see Attachment E). This model allowed schools some time to understand and adjust to the new federal requirements. The increase in AMOs for 2005 may have led to more schools missing AYP.

## 2005 Observations for Schools

- 868 schools met 100% of their No Child Left Behind (NCLB) AYP goals. That's 74.1% of all schools in Kentucky.
- 89.3% of elementary schools, 47.8% of high schools and 53.7% of middle schools met all their NCLB goals.
- Of the 304 schools (25.9%) that did not make AYP, 193 of these schools made 80% or more of their goals (112 of these schools met at least 90% or more of their goals). Overall, 1061 schools in the state (90.5%) met 80% or more of their goals.
- 31 schools (2.6% overall) did not make AYP on the Other Academic Indicator. For elementary and middle schools, the Other Indicator is the CATS Accountability Classification. For high schools, graduation rate is the Other Indicator (15 schools did not make AYP because of graduation rate).
- Of the 253 schools meeting the AMO sufficient size criteria (see Attachment B for definition) for African-American students in Reading, 51 schools (20.2%) did not make AYP for this student subpopulation. Of the 263 schools meeting the AMO sufficient size criteria for students with disabilities in Reading, 82 schools (31.2%) did not make AYP for this student subpopulation.
- Of the 253 schools meeting the AMO sufficient size criteria for African-American students in Mathematics, 80 schools (31.6%) did not make AYP for this student subpopulation. Of the 263 schools meeting the AMO sufficient size criteria for students with disabilities in Mathematics, 77 schools (29.3%) did not make AYP for this student subpopulation.

## 2005 Observations for School Districts

- 76 of 176 school districts (43.2%) met 100% of their No Child Left Behind (NCLB) AYP goals.
- Of the 100 school districts (56.8%) that did not make AYP, 65 of these districts made 80% or more of their goals (31 of these school districts met at least 90% or more of their goals). Overall, 141 of 176 school districts (80.1%) in the state met 80% or more of their goals.

- 10 school districts (5.7% overall) did not make AYP on the Other Academic Indicator. The Other Academic Indicator is the CATS Accountability Classification (for elementary and middle grades) *and* the graduation rate (for high school grades).
- On the performance of African-American students in Reading, seven school districts did not make AYP for this student subpopulation.
- On the performance of African-American students in Mathematics, 18 school districts did not make AYP for this student subpopulation.
- On the performance of students with disabilities in Reading, 54 school districts did not make AYP for this student subpopulation.
- On the performance of students with disabilities in Mathematics, 64 of the school districts did not make AYP for this student subpopulation.

## 2005 Observations for the State

- 16 of 25 target goals (64%) were met at the state level. This is down from 21 of 25 target goals (84%) last year. All student subpopulations met the requirements for Participation Rate. *As noted above, caution should be used when comparing the 2005 NCLB Reports with 2004 NCLB results (see the section above on “Comparing Preliminary 2005 District/School Reports With 2004 Results”).*
- The first increase in intermediate goals took place in the 2004-2005 school year. The second increase will take place in the 2007-2008 school year, and then the increases occur annually. This “plateau” model allowed schools some time to understand and adjust to the new federal requirements. Because AMOs increased from 2004 to 2005, fewer schools met their AYP goals.
- Statewide, 54 Title I schools are in Tier 1 consequences, 69 Title I schools are in Tier 2 consequences, 4 Title I schools are in Tier 3 consequences, and 6 Title I schools are in Tier 4 consequences. Eight Title I districts are in Tier 1 consequences and 50 Title I districts are in Tier 2 consequences.
- Data from the NCLB Adequate Yearly Progress Reports for 2004 and 2005 show the average statewide percent proficient in reading for 2002 through 2005 to be 48.2, 50.2, 53.5 and 55.8, respectively. The average statewide percent proficient in mathematics for 2002 through 2005 was 31.0, 34.1, 39.5 and 38.6. While the percent proficient in reading and mathematics generally shows a gradual and sustained increase across the years, the decrease for mathematics from 2004 to 2005 (i.e., 39.5% to 38.6%) is an area of concern.



## NO CHILD LEFT BEHIND ADEQUATE YEARLY PROGRESS REPORT - 2005

August 01, 2005

### State

Grades: PRIMARY-12

Code: 999

**Met 16 out of 25 target goals (64.0 percent)**

Title I: Yes

Made Overall AYP: No

Under the federal No Child Left Behind Act a school/district must make 100 percent of its target goals in order to qualify as having made Adequate Yearly Progress (AYP).

Student Group*	Met Annual Measurable Objective		Met Participation Rate	Other Academic Indicator**
	Reading	Mathematics		
All Students	Yes	Yes	Yes	Yes
White (Non-Hispanic)	Yes	Yes	Yes	
African-American	NO	NO	Yes	
Hispanic	Yes	NO	Yes	
Asian	Yes	Yes	Yes	
Limited English Proficiency	NO	NO	Yes	
Free/Reduced Lunch	NO	NO	Yes	
With Disability	NO	NO	Yes	

For other measures of school progress see Commonwealth Accountability Testing System (CATS) results at: <http://www.education.ky.gov/>

\* If a student group is listed as n/a in the chart, it means there were not enough students in that group at this school to get a valid score for AYP purposes. Each student is included in the "All Students" group.

\*\* For elementary and middle schools, the "Other Academic Indicator" is the overall CATS 2004 Classification, which covers the other content areas as well as reading and mathematics. For high schools the Other Academic Indicator is the Graduation Rate. The Other Academic Indicator for schools with middle and high school grades is both the CATS 2004 Classification and the Graduation Rate.

\*\*\* If a subpopulation doesn't meet its Annual Measurable Objective, it can still be in "Safe Harbor" and considered to have made AYP if:

- The school reduced by at least 10% the number of students in the subpopulation who are not proficient, and
- That subpopulation meets the criteria for demonstrating improvement on the Academic Index.



**School Results For 2005****Table 1: Schools That Did Not Make AYP by Subpopulation: 304 of 1172 (25.94%)**

Student Group*	Reading AMO	Mathematics AMO	Participation Rate	Other Academic Indicator
All Students	31 (2.65%)	62 (5.29%)	0 (0.00%)	31 (2.65%)
White (Non-Hispanic)	14 (1.19%)	44 (3.75%)	0 (0.00%)	
African-American	51 (4.35%)	80 (6.83%)	0 (0.00%)	
Hispanic	4 (0.34%)	4 (0.34%)	0 (0.00%)	
Asian	0 (0.00%)	0 (0.00%)	0 (0.00%)	
Limited English Proficient	1 (0.09%)	0 (0.00%)	1 (0.09%)	
Free/Reduce Lunch	97 (8.28%)	159 (13.57)	2 (0.17%)	
With Disability	82 (7.00%)	77 (6.57%)	0 (0.00%)	

**Table 2: Schools That Did Not Make AYP by School Type**

	Overall AYP	Other Academic Indicator	Reading AMO	Mathematics AMO	Participation Rate
Elementary (4-5)	68 (22.37)	8 (2.63%)	30 (9.87)	40 (13.16%)	2 (0.66%)
Middle (7-8)	95 (31.25%)	4 (1.32%)	62 (20.39%)	76 (25.00%)	0 (0.00%)
E,M (4-8)	23 (7.57%)	1 (0.33%)	7 (2.30%)	17 (5.59%)	0 (0.00%)
High (10-12)	107 (35.20%)	14 (4.62%)	58 (19.08%)	89 (29.28%)	1 (0.33%)
M,H (7-12)	9 (2.96)	3 (0.99)	4 (1.32%)	7 (2.30%)	0 (0.00%)
E, M, H (4-12)	2 (0.66%)	1 (0.33%)	1 (0.33%)	1 (0.33%)	0 (0.00%)
Total	304 (100.00%)	31 (10.20%)	162 (53.29%)	230 (75.66%)	3 (0.99%)

E=Elementary School, M=Middle School, H=High School

**Table 3: Percent of Target Goals That Were Met by School Type**

	30-39%	40-49%	50-59%	60-69%	70-79%	80-89%	90-99%	100%
Elementary (4-5)	0 (0.00%)	2 (0.32%)	3 (0.47%)	3 (0.47%)	5 (0.79)	21 (3.32%)	34 (5.37%)	565 (89.26)
Middle (7-8)	2 (0.98%)	1 (0.49%)	4 (1.95%)	8 (3.90%)	18 (8.78%)	27 (13.17%)	35 (17.07%)	110 (53.66%)
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	1 (1.00%)	8 (8.00%)	6 (6.00%)	8 (8.00%)	77 (77.00%)
High (10-12)	1 (0.49%)	2 (0.98%)	10 (4.88%)	8 (3.90%)	29 (14.15%)	26 (12.68%)	31 (15.12%)	98 (47.80%)
M,H (7-12)	1 (5.00%)	2 (10.00%)	0 (0.00%)	1 (5.00%)	1 (5.00%)	0 (0.00%)	4 (20.00%)	11 (55.00%)
E, M, H (4-12)	0 (0.00%)	0 (0.00%)	0 (0.00%)	1 (11.11%)	0 (0.00%)	1 (11.11%)	0 (0.00%)	7 (77.78%)
Total	4 (0.34%)	7 (0.60%)	17 (1.45%)	22 (1.88%)	61 (5.20%)	81 (6.91%)	112 (9.56%)	868 (74.06%)

E=Elementary School, M=Middle School, H=High School

Note: Table 1 is based on the 1172 accountable schools. The percentages are not mutually exclusive. For example, a school may not have made AYP in both reading and math.

\*Demographic data is self-reported.

**School District Results For 2005****Table 4: Districts That Did Not Make AYP by Subpopulation: 100 of 176 (56.82%)**

Student Group*	Reading AMO	Mathematics AMO	Participation Rate	Other Academic Indicator
All Students	4 (2.27%)	12 (6.82%)	0 (0.00%)	10 (5.68%)
White (Non-Hispanic)	3 (1.70%)	8 (4.55%)	0 (0.00%)	
African-American	7 (3.98%)	18 (10.23%)	0 (0.00%)	
Hispanic	2 (1.14%)	2 (1.14%)	1 (0.57%)	
Asian	0 (0.00%)	0 (0.00%)	0 (0.00%)	
Limited English Proficient	2 (1.14%)	2 (1.14%)	1 (0.57%)	
Free/Reduce Lunch	22 (12.55%)	48 (27.27)	0 (0.00%)	
With Disability	54 (30.68%)	64 (36.36%)	0 (0.00%)	

**Table 5: Districts That Did Not Make AYP by District Type: 100 of 176 (56.82%)**

	Overall AYP	Other Academic Indicator	Reading AMO	Mathematics AMO	Participation Rate
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)
E, M, H (4-12)	100 (100.00%)	10 (10.00%)	64 (64.00%)	88 (88.00%)	1 (1.00%)
Total	100 (100.00%)	10 (10.00%)	64 (64.00%)	88 (88.00%)	1 (1.00%)

E=Elementary School, M=Middle School, H=High School

**Table 6: Percent of Target Goals That Were Met by District Type**

	40-49%	50-59%	60-69%	70-79%	80-89%	90-99%	100%
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	5 (100.00%)
E, M, H (4-12)	1 (0.58%)	3 (1.75%)	15 (8.77%)	16 (9.36%)	34 (19.88)	31 (18.13%)	71 (41.52%)
Total	1 (0.57%)	3 (1.75%)	15 (8.52%)	16 (9.09%)	34 (19.32%)	31 (17.61%)	76 (43.18%)

E=Elementary School, M=Middle School, H=High School

Note: The percentages are not mutually exclusive. For example, a district may not have made AYP in both reading and math.

\*Demographic data is self-reported

**Results for Schools For 2005****Table 7: Title I Schools in Each Tier by School Type**

	Tier				
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
Elementary (4-5)	32	16	1	3	0
Middle (7-8)	12	36	1	3	0
E,M (4-8)	6	2	1	0	0
High (10-12)	2	14	1	0	0
M,H (7-12)	2	1	0	0	0
E, M, H (4-12)	0	0	0	0	0
Total	54	69	4	6	0

E=Elementary School, M=Middle School, H=High School

**Table 8: Title I Districts in Each Tier by School Type**

	Tier				
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
E,M (4-8)	0	0	0	0	0
E, M, H (4-12)	9	50	0	0	0
Total	9	50	0	0	0

E=Elementary School, M=Middle School, H=High School

ATTACHMENT A

Federal and State School/District Two Dimensional Accountability Model

## Federal and State School/District Two Dimensional Accountability Model

## FEDERAL DIMENSION

## STATE DIMENSION

	MAKE AYP	DID NOT MAKE AYP
MEET GOAL	NCLB: AYP STATE: Rewards	STATE: Rewards NCLB: Consequences
MEET GOAL AND DID NOT MEET DROPOUT OR NOVICE REDUCTION	NCLB: AYP STATE: No Rewards	NCLB: Consequences STATE: No Rewards
PROGRESSING	NCLB: AYP STATE: Rewards	STATE: Rewards NCLB: Consequences
PROGRESSING AND DID NOT MEET DROPOUT OR NOVICE REDUCTION OR SCHOOL DECLINE	NCLB: AYP STATE: No Rewards	NCLB: Consequences STATE: No Rewards
ASSISTANCE LEVEL 1	NCLB: AYP STATE: Assistance	NCLB: Consequences STATE: Assistance
ASSISTANCE LEVEL 2	NCLB: AYP STATE: Assistance	NCLB: Consequences STATE: Assistance
ASSISTANCE LEVEL 3	NCLB: AYP STATE: Assistance	NCLB: Consequences STATE: Assistance

ATTACHMENT B

Changes in Implementation of NCLB for Districts and Schools from 2004 to 2005

Changes in Implementation of NCLB for Districts and Schools from 2004 to 2005		
Issue	2004 - 2005	2003 - 2004
<b>Full Academic Year</b>  <b>703KAR 5:001</b> Sec. 1 (21), (22)	The same as 2003-2004	One hundred (100) <i>instructional</i> days (not necessarily consecutive) of enrollment in a school, from the first day of school to the first day of testing window.
<b>Sufficient Size for Participation Rate</b>  <b>703 KAR 5:001</b> Sec. 1 (35), (36), (52)  <b>703 KAR 5:020</b> Sec. 10 (09)	The same as 2003 – 2004	<p>Computed only when the school or district has 10 subpopulation students per accountability grade tested and 60 subpopulation students overall at the school in the accountability grades tested.</p> <p>Participation rate may be computed for the current year, or, as an average over 2 or 3 years – which ever results in 95%. (Letter from USDE Secretary Paige to Chief State School Officers May 19, 2004)</p>
<b>Sufficient Size for Annual Measurable Objective (AMO)</b>  <b>703 KAR 5:001</b> Sec. 1 (52)	The same as 2003-2004	<p><b><u>Both (1) and (2) below are required. Note that (2) may be accomplished in two ways:</u></b></p> <p>(1) 10 subpopulation students tested per grade; <b>and</b></p> <p>(2) (a) 60 subpopulation students school-wide in the grades where NCLB assessments are required; <b>or</b></p> <p>(b) Subpopulation comprises 15% of all students in the grades where NCLB assessments are required. (Letter from USDE Secretary Paige February 2, 2004.)</p>
<b>Calculation of Annual Measurable Objective (AMO)</b>  <b>703 KAR 5:020</b> Sec. 10 (3), (9b)  <b>703 KAR 5:130</b> Sec. 8 (3), (7b)	The same as 2003-2004 with two additional rules: <ul style="list-style-type: none"> <li>• Calculations can average up to 3 years of the most recent student performance data</li> <li>• Confidence interval is also based on the same years of data</li> </ul>	<p><b><u>Percentage of accountable students who scored proficient or above in reading and mathematics compared to the specific grade-level configuration target.</u></b></p>

<b>Issue</b>	<b>2004 - 2005</b>	<b>2003 - 2004</b>
<b>Other Academic Indicator</b>  <b>703 KAR 5:001</b> Sec. 1, (11b), (12b), (13b)  <b>703 KAR 5:020</b> Sec. 10, (2b), (5b)  <b>703 KAR 5:130</b> Sec. 8, (2b), (5b)	<ul style="list-style-type: none"> <li>• Use of CATS biennial or mid-point classification for elementary and middle schools from the prior year. This indicator will be considered to be met if a school is classified as progressing (any category), meets goal, or if in assistance has demonstrated growth in the accountability index at or above the state average for the specific grade-level configuration</li> <li>• Use of graduation rate from the prior year for high schools</li> </ul>	<ul style="list-style-type: none"> <li>• Accountability index for elementary and middle school used.</li> <li>• Graduation rate used for high schools.</li> </ul> <p>Both were lagged one year.</p>
<b>Graduation Rate</b>        <b>703 KAR 5:001</b>	The same as 2003 – 2004	<p>In addition to students who receive four-year diplomas, the following students qualify as graduates:</p> <ul style="list-style-type: none"> <li>• Students who do not graduate in four years, but have an Individual Education Plan (IEP) documenting their need for more than four years of secondary school education to complete their program.</li> </ul>
<b>Drop-Out Count</b>	<p>Students in the school dropout count include:</p> <ul style="list-style-type: none"> <li>• Students who withdraw from a Kentucky school <i>and</i> do not enroll in another school or district or district-contracted General Educational Diploma (GED) program, or</li> <li>• Students who enroll in a GED program, but do not earn their GED by October of the following year.</li> </ul>	There were no changes in the definition of Dropout Count from 2002 - 2003 to 2003 - 2004.
<b>Reporting Timeframe</b>	Final reports in August 2005 reflect both multiple-choice and open-response results in reading and mathematics for all students.	Preliminary 2004 AYP results were based on the KCCT multiple-choice items in reading and mathematics reported in August. A final report, including open-response items, was published in October 2004.

Changes in Implementation of NCLB for Districts and Schools from 2004 to 2005		
Issue	2004 - 2005	2003 - 2004
<b>Limited English Proficient (LEP) Students</b>  <b>703 KAR 5:070</b> <i>Inclusion of Special Populations in the State-Required Assessment &amp; Accountability Program</i>	The same as 2003-2004	<p><b><u>First Year:</u></b>  New LEP students are counted in participation rate, but need not be included in AYP or CATS accountability. New LEP students ...</p> <ul style="list-style-type: none"> <li>• Must be tested using a state-approved English language proficiency assessment.</li> <li>• Must be tested in mathematics (grades 5, 8, 11).</li> <li>• May be tested in reading (grades 4, 7, 10).</li> <li>• The English language proficiency test will be used for determining Participation Rate instead of reading.</li> </ul> <p><b><u>Second and Subsequent Years:</u></b>  Must participate in all state-required assessments (except the Writing Portfolio, which is not required in the second year). The test scores of LEP students are included in AYP and the Commonwealth Accountability Testing System (CATS).</p> <p><b><u>LEP Subpopulation Membership:</u></b> Students must be retained in the LEP accountability subpopulation for up to 2 years following attainment of English proficiency as reflected on results of the state-approved English language proficiency test. However, in connection with reporting subpopulation results, LEP students who have attained English proficiency may be excluded from <i>subpopulation size</i> computation (see Appendix A for more detail).</p>

## ATTACHMENT C

Details Regarding the Three Components of AYP  
and How Schools and Districts are Able to Make AYP

## Details Regarding the Three Components of AYP:

### (1) Measuring Growth in the Percentage of Students Scoring Proficient or Above in Reading and Mathematics

All schools in a grade level have the same Annual Measurable Objectives (AMO). The objectives are expressed as the percent of students at proficient or above, computed separately in reading and in mathematics. (Starting points and AMOs by year are given in Attachment E.) The federal goal is for all schools and subpopulations (i.e., Race/Ethnicity, Limited English Proficient, free/reduced lunch and students with disabilities) *of sufficient size* to score at proficient or above by 2014 in both reading and mathematics. Calculations of AMOs can average up to 3 years of the most recent student performance data. Confidence intervals would be based on the same years of data as AMOs.

### (2) Assessing Improvement on the "Other Academic Indicator"

Besides increasing the percentages of students scoring at proficient or above in reading and mathematics, NCLB requires the use of an “other academic indicator” in determining a school or district’s AYP. In 2004, the other academic indicator for elementary and middle schools was the Commonwealth Accountability Testing System (CATS) Accountability Index and for high schools was graduation rate. Both the Accountability Index and graduation rate had to be *lagged* one year in order to be used as the NCLB other academic indicator.

At its June 2005 meeting, the Kentucky Board of Education changed the other academic indicator at the elementary and middle school levels from the full Accountability Index to the CATS biennial classification and the CATS mid-point classification, whichever is the most currently available classification. Thus, schools classified as any category of Progressing or Meets Goal would be considered as meeting the requirement for the other academic indicator. Data would still be lagged by one year in order to meet NCLB required reporting timelines. For example, in 2005, the 2004 CATS biennial classification would be applied and in 2006, the 2005 CATS mid-point classification would be used. The Board also approved regulatory language to allow the opportunity to recognize growth in addition to school classification. More specifically, schools in the Assistance category that demonstrate growth in the Accountability Index at or above the statewide average for the specific grade-level configuration would be designated as meeting the other academic indicator requirement. This additional caveat was proposed by the Local Superintendents Advisory Council, a statutorily created group that reviews and provides advice on every regulation change considered by the Board.

In summary, for schools or districts that contain elementary, middle and high school levels, both the CATS Accountability Classification and graduation rate are used for the other academic indicator. For elementary and middle schools, meeting the requirement for the other academic indicator is defined as a:

- School Classification of Progressing or Meets Goal, OR
- If in the Assistance category, growth in the Accountability Index at or above the statewide average for the specific grade-level configuration.

NCLB improvement on graduation rate means a graduation rate that:

- Is equal to or greater than the corresponding annual goal OR
- Exceeds that of the prior year.

(3) Testing at Least 95% of Enrolled Students and Student Subpopulations of Sufficient Size

To meet AYP, the school/district as a whole and each subpopulation of sufficient size must have at least a 95% participation rate. This calculation will be done for reading and mathematics combined. The *Participation Rate* criterion is 10 students per grade and 60 students overall in grades where NCLB assessments are required. This criterion for calculating Participation Rate was intended to address those situations where students cannot be tested for reasons beyond the control of the school or student, e.g., an unanticipated absence or medical emergency. The criterion was given final approval by the Kentucky Board of Education in December 2003. In addition, recent federal guidance allows Participation Rate to be computed for the current year or as an average over *two* or *three* years, whichever results in a 95% Participation Rate.

## Meeting AYP

A school or district fails to make AYP if it:

- Didn't meet the AMO in reading for all students and every subpopulation of sufficient size.
- Didn't meet the AMO in mathematics for all students and every subpopulation of sufficient size.
- Didn't improve the Other Academic Indicator. For elementary and middle school levels, the school/district didn't meet the required Accountability Classification of Progressing (any category) or Meets Goal, or if in Assistance, did not demonstrate growth in the Accountability Index at or above the state average for the specific grade-level configuration. At the high school level, the school/district didn't meet the graduation rate annual goal or improve graduation rate.
- Didn't test 95% of all students or student subpopulations of sufficient size.

For example:

- To make AYP in reading, a school/district and every subpopulation of sufficient size must meet the AMO for reading and have at least a 95% participation rate. In addition, the school/district as a whole must meet the requirement of the other academic indicator.
- To make AYP in mathematics, a school/district and every subpopulation of sufficient size must meet the AMO for mathematics and have at least a 95% participation rate. In addition, the school/district as a whole must meet the requirement of the other academic indicator.

It is important to note that if a school or district does not meet the requirement of the Accountability Classification at the elementary and middle school levels and/or graduation rate at the high school level, or did not test at least 95% of all enrolled students and each subpopulation of sufficient size, the school is considered to have missed its AYP in both reading and mathematics.

As the term AYP suggests, progress toward NCLB academic goals is evaluated annually, whereas progress on CATS is evaluated biennially. For definitions and explanations of other important terms used in NCLB, including:

- Starting Points, AMOs
- Safe Harbor
- Participation Rate Sufficient Size
- Percent Proficient or Above and Confidence Levels
- Reading and Mathematics in Grades 3–8
- Full Academic Year
- Reading and Mathematics in Grades 3–8

See the 2005 NCLB Interpretative Guide that can be found on the Kentucky Department of Education's Website at: (<http://www.education.ky.gov>).

ATTACHMENT D

NCLB Consequences and the Timing of Consequences Called NCLB Tiers

## **NCLB Consequences:**

### **PARENT NOTIFICATION** (Notification to parents in a school identified for NCLB improvement)

- What NCLB Improvement School identification means
- Reasons for identification
- What the school is doing to improve
- How parents can become involved
- What district and KDE are doing

### **SCHOOL CHOICE** (Parents' option to transfer student)

- All students in school identified as a NCLB Improvement School may transfer
- Can transfer to another public school in district not identified as a NCLB Improvement School
- Priority given to lowest-achieving children from low-income families
- District pays for transportation

### **Write or revise COMPREHENSIVE SCHOOL IMPROVEMENT PLAN** to include:

- Scientifically-researched instructional strategies
- Practices to improve core academic subjects
- Specifics for 10% of school's Title I allocation for professional development
- Strategies to promote effective parent involvement
- Extended school activities
- Teacher-mentoring program

### **Offer SUPPLEMENTAL EDUCATIONAL SERVICES**

- Low-income students attending school identified as a NCLB Improvement School
- Tutoring and academic intervention outside of the regular school day
- Provider must be approved by state
- District may become provider as long as District is not a Title I Improvement District

### **CORRECTIVE ACTION** (District must do one of following)

- Replace school staff relevant to improvement
- Institute and implement new curriculum
- Decrease management authority consistent with state law
- Appoint an outside adviser
- Extend school day or year
- Restructure internal organization

### **RESTRUCTURING** (District must prepare alternative governance arrangements by planning to implement one of the following)

- Replace all or most of staff relevant to failure
- Turn operation over to the state consistent with state law
- Determine any other major restructuring that makes fundamental reforms possible
- Implement if school continues not making AYP

The following provides information about the timing of NCLB consequences:

**Tier 1 of Consequences** (2 years not making AYP)

- Implement School Choice
- Write or revise School Plan

**Tier 2 of Consequences** (3 years not making AYP)

- Continue School Choice
- Revise School Plan
- Offer Supplemental Services

**Tier 3 of Consequences** (4 years not making AYP)

- Continue School Choice
- Revise School Plan
- Continue Supplemental Services
- Institute Corrective Action

**Tier 4 of Consequences** (5 years not making AYP)

- Continue School Choice
- Revise School Plan
- Continue Supplemental Services
- Continue Corrective Action
- Write a Plan for Alternative Governance consistent with state law

**Tier 5 of Consequences** (6 years not making AYP)

- Continue School Choice
- Revise School Plan
- Continue Supplemental Services
- Continue Corrective Action
- Implement Alternative Governance consistent with state law

The table on the following page provides examples for determining the status of Title I schools based on AYP results.

<b>Determining Status of Title I Schools Based on Adequate Yearly Progress Results</b>						
<b>Title I School Name</b>	<b>AYP Determination by Year</b>					<b>AYP Status</b>
	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>	
<b>Moore Elementary</b>	Yes	No	Yes	No	Yes	<b>OK!!!</b>
<b>ABC Elementary</b>	Yes	Yes	Yes	No	No	<b>Tier 1 of Consequences</b>
<b>Heart Elementary</b>	Yes	Yes	No	No	No	<b>Tier 2 of Consequences</b>
<b>123 Elementary</b>	No	No	No	Yes	Yes	<b>Out of NCLB Improvement</b>
<b>Active Elementary</b>	No	No	No	No	Yes	<b>Tier 3 of Consequences</b>
<b>Sims Middle School</b>	No	No	No	No	No	<b>Tier 4 of Consequences</b>
<b>Hill Middle School</b>	No	No	Yes	No	Yes	<b>Tier 2 of Consequences</b>
<b>Jay Middle School</b>	No	No	Yes	Yes	Yes	<b>Out of NCLB Improvement</b>
<b>Oh Boy High School</b>	No	No	Yes	No	No	<b>Tier 3 of Consequences</b>
<b>Hello High School</b>	No	No	Yes	Yes	No	<b>Out of NCLB Improvement</b>

The above table provides examples about when consequences are implemented under NCLB. Several additional points include:

- NCLB requires school transfer within the district. However, KDE encourages districts to work with neighboring districts for transfer arrangements, if another school of the same level does not exist in the district. If a child moves, the original district must provide transportation to the new school as long as the original school remains an NCLB Improvement School. If the original school's status changes, the child may continue at the new school but parents can be asked to assume the transportation responsibility.
- The replacement of staff would require the following of due process procedures and would have to be done within the constraints of the appropriate Kentucky Revised Statutes.
- A Highly Skilled Educator (HSE) could be an outside adviser.
- Restructuring has two components: developing the restructuring plan and implementing the plan the next year, if the school fails to make AYP again.

ATTACHMENT E

Annual Measurable Objectives in Reading and Mathematics  
by School Year and School Configuration

**Annual Measurable Objectives in Reading and Mathematics  
by School Year and School Configuration**

<b>School Configuration</b>												
<b>School</b>	<b>Elementary</b>		<b>Middle</b>		<b>High</b>		<b>Primary – 08</b>		<b>Primary - 12</b>		<b>07 –12</b>	
	<b>Reading</b>	<b>Math</b>	<b>Reading</b>	<b>Math</b>	<b>Reading</b>	<b>Math</b>	<b>Reading</b>	<b>Math</b>	<b>Reading</b>	<b>Math</b>	<b>Reading</b>	<b>Math</b>
<b>2001-02</b>	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
<b>2002-03</b>	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
<b>2003-04</b>	47.27	22.45	45.60	16.49	19.26	19.76	46.44	19.47	37.38	19.57	32.43	18.13
<b>2004-05</b>	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
<b>2005-06</b>	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
<b>2006-07</b>	53.86	32.14	52.40	26.93	29.35	29.79	53.14	29.54	45.21	29.62	40.88	28.36
<b>2007-08</b>	60.45	41.84	59.20	37.37	39.45	39.82	59.83	39.60	53.04	39.68	49.32	38.60
<b>2008-09</b>	67.04	51.53	66.00	47.81	49.54	49.85	66.53	49.67	60.86	49.73	57.77	48.83
<b>2009-10</b>	73.64	61.23	72.80	58.25	59.63	59.88	73.22	59.74	68.69	59.79	66.22	59.07
<b>2010-11</b>	80.23	70.92	79.60	68.68	69.72	69.91	79.92	69.80	76.52	69.84	74.66	69.30
<b>2011-12</b>	86.82	80.61	86.40	79.12	79.82	79.94	86.61	79.87	84.35	79.89	83.11	79.53
<b>2012-13</b>	93.41	90.31	93.20	89.56	89.91	89.97	93.31	89.93	92.17	89.95	91.55	89.77
<b>2013-14</b>	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

ATTACHMENT F

School and District Results For 2004

**Results For 2004****Table 1: Schools That Did Not Make AYP by Subpopulation: 286 of 1176 (24.32%)**

Student Group*	Reading AMO	Mathematics AMO	Participation Rate	Other Academic Indicator
All Students	13 (1.11%)	16 (1.36%)	0 (0.00%)	167 (14.20%)
White (Non-Hispanic)	6 (0.51%)	7 (0.60%)	0 (0.00%)	
African-American	35 (2.98%)	41 (3.49%)	0 (0.00%)	
Hispanic	0 (0.00%)	1 (0.09%)	0 (0.00%)	
Asian	0 (0.00%)	0 (0.00%)	0 (0.00%)	
Limited English Proficient	0 (0.00%)	0 (0.00%)	2 (0.17%)	
Free/Reduce Lunch	48 (4.08%)	48 (4.08%)	0 (0.00%)	
With Disability	74 (6.29%)	50 (4.25%)	0 (0.00%)	

**Table 2: Schools That Did Not Make AYP by School Type**

	Overall AYP	Other Academic Indicator	Reading AMO	Mathematics AMO	Participation Rate
Elementary (4-5)	119 (41.61)	91 (31.82%)	25 (8.74%)	20 (6.99%)	0 (0.00%)
Middle (7-8)	82 (28.67%)	34 (11.89%)	54 (18.88%)	38 (13.29%)	1 (0.35%)
E,M (4-8)	23 (8.04%)	18 (6.29%)	4 (1.40%)	7 (2.45%)	0 (0.00%)
High (10-12)	56 (19.58%)	20 (6.99%)	32 (11.19%)	35 (12.24%)	1 (0.35%)
M,H (7-12)	6 (2.10%)	4 (1.40%)	1 (0.35%)	2 (0.70%)	0 (0.00%)
E, M, H (4-12)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)
Total	286 (100.00%)	167 (58.39%)	116 (40.56%)	102 (35.66%)	2 (0.70%)

E=Elementary School, M=Middle School, H=High School

**Table 3: Percent of Target Goals That Were Met by School Type**

	30-39%	40-49%	50-59%	60-69%	70-79%	80-89%	90-99%	100%
Elementary (4-5)	0 (0.00%)	0 (0.00%)	0 (0.00%)	1 (0.16%)	5 (0.78)	51 (8.01%)	62 (9.73%)	518 (81.32%)
Middle (7-8)	1 (0.49%)	2 (0.99%)	2 (0.99%)	8 (3.94%)	8 (3.94%)	18 (8.87%)	43 (21.18%)	121 (59.61%)
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	3 (2.94%)	1 (0.98%)	5 (4.90%)	14 (13.73%)	79 (77.45%)
High (10-12)	0 (0.00%)	1 (0.49%)	1 (0.49%)	6 (2.93%)	8 (3.90%)	15 (7.32%)	25 (12.20%)	149 (72.68%)
M,H (7-12)	0 (0.00%)	1 (4.76%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	1 (4.76%)	4 (19.05%)	15 (71.43%)
E, M, H (4-12)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (00.00%)	0 (0.00%)	8 (100.00%)
Total	1 (0.09%)	4 (0.34%)	3 (0.26%)	18 (1.53%)	22 (1.87%)	90 (7.65%)	148 (12.59%)	890 (75.68%)

E=Elementary School, M=Middle School, H=High School

Note: Table 1 is based on the 1176 accountable schools. The percentages are not mutually exclusive. For example, a school could have not made AYP in both reading and math. Table 2 and 3 includes 6 schools in Hart County which have Annual Measurable Objectives from multiple grade levels, but are assigned to E,M (4-8) or High (10-12).

\*Demographic data is self-reported

**Results For 2004****Table 4: Districts That Did Not Make AYP by Subpopulation: 65 of 176 (36.93%)**

Student Group*	Reading AMO	Mathematics AMO	Participation Rate	Other Academic Indicator
All Students	1 (0.57%)	0 (0.00%)	0 (0.00%)	26 (14.77%)
White (Non-Hispanic)	1 (0.57%)	0 (0.00%)	0 (0.00%)	
African-American	6 (3.41%)	6 (3.41%)	0 (0.00%)	
Hispanic	0 (0.00%)	0 (0.00%)	2 (1.14%)	
Asian	0 (0.00%)	0 (0.00%)	0 (0.00%)	
Limited English Proficient	1 (0.57%)	0 (0.00%)	2 (1.14%)	
Free/Reduce Lunch	8 (4.55%)	3 (1.70%)	0 (0.00%)	
With Disability	35 (19.891%)	24 (13.64%)	0 (0.00%)	

**Table 5: Districts That Did Not Make AYP by District Type: 65 of 176 (36.93%)**

	Overall AYP	Other Academic Indicator	Reading AMO	Mathematics AMO	Participation Rate
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)
E, M, H (4-12)	65 (100.00%)	26 (40.00%)	40 (61.54%)	26 (40.00%)	2 (3.08%)
Total	65 (100.00%)	26 (40.40%)	40 (61.54%)	26 (40.00%)	2 (3.08%)

E=Elementary School, M=Middle School, H=High School

**Table 6: Percent of Target Goals That Were Met by District Type**

	60-69%	70-79%	80-89%	90-99%	100%
E,M (4-8)	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)	5 (100.00%)
E, M, H (4-12)	3 (1.75%)	5 (2.92%)	23 (13.45%)	34 (19.88%)	106 (60.82%)
Total	3 (1.70%)	5 (2.84%)	23 (13.07%)	34 (19.32%)	111 (63.07%)

E=Elementary School, M=Middle School, H=High School

Note: The percentages are not mutually exclusive. For example, a district could have not made AYP in both reading and math.

\*Demographic data is self-reported

**Results For 2004****Table 7: Title I Schools in Each Tier by School Type**

	Tier				
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
Elementary (4-5)	37	8	3	0	0
Middle (7-8)	49	3	3	0	0
E,M (4-8)	8	1	0	0	0
High (10-12)	18	1	0	0	0
M,H (7-12)	1	0	0	0	0
E, M, H (4-12)	0	0	0	0	0
Total	113	13	6	0	0

E=Elementary School, M=Middle School, H=High School

**Table 8: Title I Districts in Each Tier by School Type**

	Tier				
	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5
E,M (4-8)	0	0	0	0	0
E, M, H (4-12)	55	1	0	0	0
Total	55	1	0	0	0

E=Elementary School, M=Middle School, H=High School